



General Assembly

February Session, 2012

Raised Bill No. 5235

LCO No. 946

00946_____LAB

Referred to Committee on Labor and Public Employees

Introduced by:
(LAB)

***AN ACT CONCERNING AN EMPLOYEE'S RIGHT TO INSPECT, COPY
OR DISPUTE THE CONTENTS OF HIS OR HER PERSONNEL FILE.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 31-128b of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2012*):

3 (a) Each employer shall, [within a reasonable time] not less than
4 three business days after receipt of a written request from an
5 employee, permit such employee to inspect, and if requested, copy his
6 or her personnel file if such a file exists. Such inspection shall take
7 place during regular business hours at a location at or reasonably near
8 the employee's place of employment. Each employer who has
9 personnel files shall be required to keep any personnel file pertaining
10 to a particular employee for at least one year after the termination of
11 such employee's employment.

12 (b) Each employer shall, not less than ten business days after receipt
13 of a written request from a former employee, permit such former
14 employee to inspect, and if requested, copy his or her personnel file if
15 such a file exists, provided the employer receives such written request

16 not later than one year after the termination of such former employee's
17 employment with the employer. Such inspection shall take place
18 during regular business hours at a location at or reasonably near the
19 former employee's former place of employment with the employer.

20 (c) Each employer shall provide an employee with a written copy of
21 any documentation of any disciplinary action imposed on that
22 employee not less than twenty-four hours after the date of imposing
23 such action. Each employer shall immediately notify an employee in
24 writing of such employer's intent to terminate such employee's
25 employment.

26 Sec. 2. Section 31-128e of the general statutes is repealed and the
27 following is substituted in lieu thereof (*Effective October 1, 2012*):

28 (a) If upon inspection of his or her personnel file or medical records
29 an employee disagrees with any of the information contained in such
30 file or records, removal or correction of such information may be
31 agreed upon by such employee and his or her employer. If such
32 employee and employer cannot agree upon such removal or correction
33 then such employee may submit a written statement explaining his or
34 her position. Such statement shall be maintained as part of such
35 employee's personnel file or medical records and shall accompany any
36 transmittal or disclosure from such file or records made to a third
37 party.

38 (b) Each employer shall include a statement in clear and
39 conspicuous language of any documented disciplinary action, intent to
40 terminate such employee's employment or performance evaluation
41 that the employee may, should the employee disagree with any of the
42 information contained in such statement, submit a written statement
43 explaining his or her position. Such employee statement shall be
44 maintained as part of such employee's personnel file and shall
45 accompany any transmittal or disclosure from such file or records
46 made to a third party.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2012</i>	31-128b
Sec. 2	<i>October 1, 2012</i>	31-128e

Statement of Purpose:

To provide an employee or former employee the right to copy their personnel files and require employers to provide copies of any documented discipline notices and copies of statements notifying an employee of their right to dispute certain documents in their personnel file.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]